

Remarks

ADDITIONAL BACKGROUND AND DISCUSSION:

The current art of watch design adds displays (and unnecessary clutter) to convey information beyond that of the time of day. Such as date windows, or digital displays, or minor dial hands. For example Solomon adds windows next to existing hour indicators, Bland adds digits to the center of the watch face, and Schenk adds minor dial hands for alternate time zones. The hour demarcation points are relegated solely for numerals being directly related to the hour of the day.

The applicant's invention greatly simplifies a watch face. Common hour demarcation points themselves (typically 1 through 12) take on multiple roles as a general-purpose display. These areas now simultaneously provide:

1. Traditional hour demarcation points.
2. General text or numeric information.
3. Graphically modified text or symbols to indicate trends.

This is an elegant and unique solution to long-standing problems, namely:

1. Adding digital alphanumeric information such as text to a watch face.
2. Maintaining the look and feel of a traditional analog watch.
3. Keeping a watch face simple and easily readable.

GENERAL RESPONSE:

By the above amendments and additions, Applicant has clarified claims to define the invention more particularly and distinctly so as to overcome rejections. Applicant requests reconsideration and withdrawal of all objections and rejections as discussed below (per same paragraph numbers of the Detailed Action) as follows:

OFFICE ACTION PARAGRAPHS:

1. **In regard to the objection of claim 16**, please see typographic correction of claim 16.
2. Reference to paragraph 35 U.S.C. 102 is duly noted.
3. **Rejection of claims 1,3,4,6,7 and 10 - 12** as being anticipated by Solomon.

Solomon (Column 1, lines 53-64) relies solely on a window's position, proximate to numbers 1 through 12, to indicate month of the year. Furthermore, only one window displays information at a time, and that information is restricted to the numbers 1 through 31 for the sole purpose of displaying the date. Sited use within prior art of ordinal hour positions is related to the numeric hour value of that position (i.e.1-12). The unique aspect of Applicant's invention is to provide these 12 locations for arbitrary and simultaneous alpha-numeric display. This added information, and its placement among the display areas, being completely independent of any time reference. The Applicant's invention therefore goes against teachings of prior art.

In regards to claim 1, the Examiner is quite correct. This original claim is too vague to distinguish between the Applicants claim and that of Solomon. Revised claim 1 now emphasizes the multi-purpose nature of the display for alpha-numeric characters and graphics. Solomon does not anticipate this concept of displaying text or messages in place of the traditional hour numerals. Only in hindsight, could Solomon's windows be utilized for broader applications. Solomon also does not see past the use of discrete "windows" (column 1, lines 46-48) to form the Applicant's single digital display as the timekeeping face. This general-purpose and dual use of the 12 display areas provides unexpected and unsuggested results that simultaneously add information and simplify the face design, for an elegant solution of a long-felt and unsolved need.

Revised claim 1 now also emphasizes more clearly that the Applicant's display areas act as the hour demarcation points themselves. While Solomon mentions an embodiment clear of hour numerals (column 3, line 3-4), his goal is "completely leaving the face C blank." Therefore, Solomon actually teaches away from the Applicant's invention. Contrary to the teachings of prior art, the Applicant's invention uses many areas simultaneously for text characters as well as serving as the hour demarcation points.

Referring to claim 3 and display of day of the month. The Applicants invention is unique in that the day of the month can be spelled out in text form if desired. Such text as FIRST, SECOND, THIRD, or abbreviations thereof, may be used. Solomon's claims restrict themselves to numbers only. The prior art lacks any suggestion that such uses be made of display areas at hour demarcation points for alpha-numeric characters.

Referring to claim 4 and numerical day of the month. Unlike Solomon, the Applicants invention allows for the numerical (numbers 1-31) day of the month to be displayed at any of the ordinal positions as is convenient. The month of the year being unambiguously conveyed through text wording or abbreviations at other locations. It is this versatility that distinguishes the Applicants invention from the confines of Solomon's limited concept. Solomon teaches against this arbitrary positioning in his Claim 1 (column 4, lines 36 - 38).

Referring to claim 6, Solomon does not offer month of the year text characters within his windows. Applicant's device offers wording or abbreviations for the month of the year, such as JAN for January or NOV for November etc. Please refer to Applicant's Figure 3 and the emphasis on the "alpha-" or textural properties of the alphanumeric characters of Applicant's claim 6. The Examiner has made an interpretation beyond the clear intent of Solomon to display only numbers, as spelled out by Solomon (column 2, lines 52 – 53) specifically as "e.g., 1 for January, 2 for February, etc."

Referring to claim 7, Solomon does not use numbers between 1 and 12 in windows to indicate month of the year, but rather uses numbers 1 through 31 solely for the purpose of conveying day of the month. Applicant's use of these numbers for month of the year is not an obvious outcome of Solomon's concept due to the fact that they can now be placed at any convenient location on the display.

Referring to claim 10, Solomon shows in his Figure 1 the numbers 1 through 12 as permanent markings of the face associated with the display areas. Applicant's invention uniquely replaces these permanent markings altogether with the display areas themselves, thereby providing dual roles. Solomon's use of windows is limited strictly to day of the month.

Referring to claim 11. In one embodiment of the Applicants invention, only the current hour number, such as 3 for the time period 3:00 through 3:59 need be present at its appropriate

location. Alternatively, any alpha-numeric character may be placed at this location for the same purpose. This is quite contrary to Solomon's use of the hour locations to relate to a month of the year. For example, Solomon would utilize the window next to the number 3 for the entire month of March as shown in his Figure 1.

Referring to claim 12, the display of numerals 1 through 12 is indeed traditional and well established. It is this context of the traditional appearance within a multi-purpose display that is claimed by the Applicant. This is also in contrast to other modes of display, such as showing hours 13 through 24.

4. **Rejection of claim 20** as being anticipated by Schenk. Applicant is unable to locate the references cited in paragraph 4 of the Office Action. Reference numbers (32,34,36) and (16...) do not appear in Schenk and the lines referred to are not applicable. A phone conversation with the Examiner (of June 6th 2005) has confirmed that these references may be incorrect, however that Schenk does "read to" claim 20.

However, Schenk utilizes a changeable cutout solely for the purpose of distinguishing between day and night (Fig 7a, reference number 2). At all times, Schenk maintains the same orientation of hour demarcations on the watch face (i.e. 12:00 at the top). Claim 20 by the Applicant is unique in that the hour numbering and location is rotated. The 12:00 position may be at any of the 12 possible demarcation points. At the push of a button, a user can rotate this orientation to coincide with an alternate time zone. Therefore respectfully, the reference to Schenk does not teach what the Examiner relies upon it supposedly teaching.

5. Quotation of 35 U.S.C. 103(a) and of being obvious to a person in the art, is duly noted.

6. **Referring to claim 2**, and day of the week. Any secondary use by Solomon of display areas beside the day of the month defeats Solomon's premise that a window is selected to correspond with the month of the year (See Solomon claim 1). Solomon cannot simultaneously use windows to display both the day of the week (Monday - Sunday) and the day of the month (1 - 31), without creating great confusion (his column 1, lines 60-63). Applicant's device offers text wording or abbreviations for the day of the week, such as MON for Monday or TUE for Tuesday etc (See Applicant Figure 3). Sase does not foresee a changeable text area but rather utilizes a pointer to select one among all the days of the week.

7. **Claim 5** and the use of a suffix. This claim is removed in view of the coverage afforded by the remaining claims.

8. **Rejection of claims 8, 9, and 17** over Solomon in view of Amano. Many digital timepieces are known to the art that display information. It is the nature of this display that is unique and novel to Applicant's invention. Amano displays information at a fixed window that is in addition to the conveying of time, thereby cluttering the face. Solomon foresees no use of windows other than for day of the month, and such additional use would interfere with their intended function. Each reference is individually complete. The combination of these ideas has not been anticipated by those skilled in the art, in what is a crowded art.

9. **Rejection of claims 13 and 14** over Solomon in view of Russell. Permanently marked hour demarcations as described by Russell are now common to the art. Providing a single timepiece capable of altering its appearance on demand (from 1-12 to 13-24 or I-XII) is an entirely new principle of operation, and an unexpended benefit of the Applicant's concept. At the press of a button, users of this invention may select from any number of traditional modes.

10. **Rejection of claim 15** over Solomon in view of De Salivet De Fouchecour for selectively visible hour indicators. The invention of De Salivet De Fouchecour controls the appearance of minutes of the day as additional numeric information, thereby adding to the display complexity and clutter. To the contrary, this embodiment of the Applicant's invention simplifies the face by eliminating all hour marking other than the one desired.

11. **Rejection of Claim 16** in light of Sugiyama regarding changing appearance. The face portrayed by Sugiyama conveys graphic information in addition to hour demarcation numbering. Great amounts of information are added to the central face, creating a dizzying appearance. This is a mutually exclusive path from that of the Applicant's. The applicant's invention conveys additional information by removing portions of traditional hour demarcations. As shown in Applicant's Figure 5, it is the hour indicators themselves that change. The resultant face is vastly simplified over prior art without the loss of capability.

12. **Rejection of claim 18** over Solomon in view of Bland for chronometer functions. Added functions such as these conflict with the clear display of time in devices of the know art. This added information either clutters the timekeeping face by way of a dedicated window

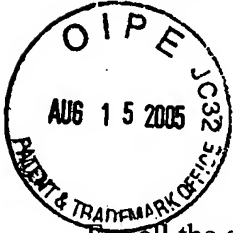
separate from the hour demarcations (as taught by Bland), or completely replaces hour-of-the-day information in the case of a digital watch. The design of the Applicant provides both the added chronometer display and the hour demarcations in one unified face.

13. **Rejection of claim 19** over Solomon in view of Zaugg for progressively moving transitions. The Examiner is quite correct in seeing the display of moon phases as taught by Zaugg. The Applicant's intention is much broader, and claim 19 is **rewritten as claim 21** for clarity. The Applicant claims a unique dual nature for hour demarcation points as discussed above. Yet a third, unusual and surprising, nature of these hour demarcation display areas is made possible. In addition to providing a demarcation point, and general-purpose text, the text itself can change in appearance (applicant paragraph 40 and Fig 5). Three simultaneous uses of these areas has tremendous advantages, and if obvious surely would have been implemented by those skilled in the art by now.

NEW ADDITION:

To further distinguish this invention from prior art, a claim is added.

Added claim 22 makes an independent claim of the alternate embodiment (for computer screens, etc.) detailed in paragraph 44 of Applicant's original submission.



Conclusion

For all the above reasons, Applicant submits that the claims are now in proper form, and that the claims all define patentability over prior art. Therefore the Applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

CONSTRUCTIVE ASSISTANCE:

The Examiner's past phone conversations and assistance are greatly appreciated by this Applicant, and have lead to great clarification of Applicant's original intent. If, for any reason this application is not believed to be in full condition for allowance, Applicant respectfully requests any further constructive assistance and suggestions of the Examiner.

RESPECTFULLY SUBMITTED



8/10/05

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CERTIFICATE OF MAILING:

I hereby certify that this correspondence will be deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 " on the date below.

2005, August 11



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